BEFORE THE CALIFORNIA BOARD OF OCCUPATIONAL THERAPY DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA

In the Matter of the Petition to Revoke Probation Against:

Case No. OT 2007-203

WENDY LYNN STACKHOUSE 711 Chimney Rock Drive Oceanside, CA 92058

Occupational Therapist No. OT 6049

Respondent.

DECISION AND ORDER

The attached Stipulated Surrender of License and Order is hereby adopted by the California Board of Occupational Therapy, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on APRIL 22, 2010

It is so ORDERED MARCH 23, 2010

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FOR THE CALIFORNIA BOARD OF OCCUPATIONAL

THERAPY

DEPARTMENT OF CONSUMER AFFAIRS

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1	EDMUND G. Brown Jr.
2	Attorney General of California LINDA K. SCHNEIDER
2	Supervising Deputy Attorney General MARICHELLE S. TAHIMIC
3	Deputy Attorney General
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	Facsimile: (619) 645-2061 Attorneys for Complainant
8	BEFORE THE
9	CALIFORNIA BOARD OF OCCUPATIONAL THERAPY
10	DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA
11	
	In the Matter of the Petition to Revoke Case No. OT 2007-203
12	Probation Against:
13	WENDY LYNN STACKHOUSE 711 Chimney Rock Drive STIPULATED SURRENDER OF
14	Oceanside, CA 92058 LICENSE AND ORDER
15	Occupational Therapist License
16	No. OT 6049
,	Respondent.
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19	In the interest of a prompt and speedy resolution of this matter, consistent with the public
20	interest and the responsibility of the California Board of Occupational Therapy of the Departmen
21	of Consumer Affairs the parties hereby agree to the following Stipulated Surrender of License
22	and Order which will be submitted to the Board for approval and adoption as the final disposition
23	of the Petition to Revoke Probation.
24	PARTIES
25	1. Heather Martin (Complainant) is the Executive Officer of the California Board of
26	Occupational Therapy. She brought this action solely in her official capacity and is represented
27	in this matter by Edmund G. Brown Jr., Attorney General of the State of California, by
28	Marichelle S. Tahimic, Deputy Attorney General.

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- 2. Wendy Lynn Stackhouse (Respondent) is representing herself in this proceeding and has chosen not to exercise her right to be represented by counsel.
- 3. On or about January 24, 2003, the California Board of Occupational Therapy issued Occupational Therapist License No. OT 6049 to Wendy Lynn Stackhouse (Respondent). The Occupational Therapist License was in full force and effect at all times relevant to the charges brought in Petition to Revoke Probation No. OT 2007-203 and will expire on February 28, 2010, unless renewed.

JURISDICTION

4. Petition to Revoke Probation No. OT 2007-203 was filed before the California Board of Occupational Therapy (Board), Department of Consumer Affairs, and is currently pending against Respondent. The Petition to Revoke Probation and all other statutorily required documents were properly served on Respondent on February 3, 2010. Respondent timely filed her Notice of Defense contesting the Petition to Revoke Probation. A copy of Petition to Revoke Probation No. OT 2007-203 is attached as exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

- 5. Respondent has carefully read, and understands the charges and allegations in Petition to Revoke Probation No. OT 2007-203. Respondent also has carefully read, and understands the effects of this Stipulated Surrender of License and Order.
- 6. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Petition to Revoke Probation; the right to be represented by counsel, at her own expense; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.
- 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

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CULPABILITY

- 8. Respondent admits the truth of each and every charge and allegation in Petition to Revoke Probation No. OT 2007-203, agrees that cause exists for discipline and hereby surrenders her Occupational Therapist License No. OT 6049 for the Board's formal acceptance.
- 9. Respondent understands that by signing this stipulation she enables the Board to issue an order accepting the surrender of her Occupational Therapist License without further process.

CONTINGENCY

- Therapy. Respondent understands and agrees that counsel for Complainant and the staff of the California Board of Occupational Therapy may communicate directly with the Board regarding this stipulation and surrender, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.
- 11. The parties understand and agree that facsimile copies of this Stipulated Surrender of License and Order, including facsimile signatures thereto, shall have the same force and effect as the originals.
- 12. This Stipulated Surrender of License and Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

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13. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Order:

ORDER

IT IS HEREBY ORDERED that Occupational Therapist License No. OT 6049, issued to Respondent Wendy Lynn Stackhouse is surrendered and accepted by the California Board of Occupational Therapy.

- 1. The surrender of Respondent's Occupational Therapist and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against Respondent. This stipulation constitutes a record of the discipline and shall become a part of Respondent's license history with the Board.
- 2. Respondent shall lose all rights and privileges as an Occupational Therapist in California as of the effective date of the Board's Decision and Order.
- 3. Respondent shall cause to be delivered to the Board both her wall license certificate and, if one was issued, pocket license on or before the effective date of the Decision and Order.
- 4. Respondent may not apply, reapply or petition for any licensure or registration of the Board for three (3) years from the effective date of the Decision and Order.
- 5. If Respondent ever applies for licensure or petitions for reinstatement in the State of California, the Board shall treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations and procedures for reinstatement of a revoked license in effect at the time the petition is filed, including appearing before the Board in an administrative hearing to establish by clear and convincing evidence that Respondent is entitled to the relief sought. Respondent is encouraged to document her recovery efforts to support any future petition for reinstatement such as attendance in support/recovery groups, psychotherapy/counseling, substance abuse assessments, rehabilitation programs, etc.

All of the charges and allegations contained in Petition to Revoke Probation No. OT 2007-203 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the petition.

- 6. Should Respondent ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing agency in the State of California, all of the charges and allegations contained in Petition to Revoke Probation, No. OT 2007-203 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.
- 7. Respondent shall pay the Board its costs of investigation and enforcement incurred "In the "Matter of the Accusation Against Wendy Lynn Stackhouse", Case No. OT2007-203, in the amount of \$647.50 prior to issuance of a new or reinstated license.

ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Occupational Therapist License. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the California Board of Occupational Therapy.

DATED: 100 23, 2010

WENDY LYNN STACKHOUSE Respondent

ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the California Board of Occupational Therapy of the Department of Consumer Affairs.

Dated: February ____, 2010

Respectfully submitted,

EDMUND G. BROWN JR.
Attorney General of California
LINDA K. SCHNEIDER
Supervising Deputy Attorney General

Marichelle S. Tahimic Deputy Attorney General Attorneys for Complainant

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- Should Respondent ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing agency in the State of California, all of the charges and allegations contained in Petition to Revoke Probation, No. OT 2007-203 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.
- Respondent shall pay the Board its costs of investigation and enforcement incurred "In the "Matter of the Accusation Against Wendy Lynn Stackhouse", Case No. OT2007-203, in the amount of \$647.50 prior to issuance of a new or reinstated license.

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I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Occupational Therapist License. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the California Board of Occupational Therapy.

DATED:

WENDY LYNN STACKHOUSE Respondent

ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the California Board of Occupational Therapy of the Department of Consumer Affairs.

Dated: February 25, 2010

Respectfully submitted,

EDMUND G. BROWN JR. Attorney General of California LINDA K. SCHNEIDER Supervising Deputy Attorney General

Deputy Attorney General

Attorneys for Complainant

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